UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,183	01/11/2006	Jouji Nakayama	284317US=40PCT	8019

22850   7590   10/30/2008
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER
VO, TRUONG V

ART UNIT	PAPER NUMBER
2169	

NOTIFICATION DATE	DELIVERY MODE
10/30/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>21 October 2008</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

     Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because
   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b)☐ They raise the issue of new matter (see NOTE below);
   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.
      NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: <u>*None*</u>.
   Claim(s) objected to: <u>*None*</u>.
   Claim(s) rejected: <u>*1,2,4,8-10,12,16,17 and 19*</u>.
   Claim(s) withdrawn from consideration: <u>*None*</u>.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
   <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

/Pierre M. Vital/
Supervisory Patent Examiner, Art Unit 2169

Continuation of 11. does NOT place the application in condition for allowance because: Response to Arguments
Applicant's arguments filed October 21, 2008 have been fully considered but they are not persuasive. Applicant argued:

a) Ohsaki fails to teach or suggest that "a process execution step of… causing the function node to execute the process only when the process is permitted by the registered user operation authority, of the registered user requesting the process, set in the general node that is a parent node of the function node… causing the function node to execute the process only when the process is permitted by the function node operation authority, of the function node that requests the process, set for the general node that is the parent node of the function node."

Examiner respectfully disagrees with applicant's assertions.

With regards to a) Examiner appreciates the interpretation description given by Applicant in response. Applicant discloses "a process execution step of… causing the function node to execute the process only when the process is permitted by the registered user operation authority, of the registered user requesting the process, set in the general node that is a parent node of the function node… causing the function node to execute the process only when the process is permitted by the function node operation authority, of the function node that requests the process, set for the general node that is the parent node of the function node", however there are no description or language indicative of limiting the interpretation of this limitations. Therefore, taking into consideration but without drawing limitations from the specification into the claim, the terminology "a process execution step of… causing the function node to execute the process only when the process is permitted by the registered user operation authority, of the registered user requesting the process, set in the general node that is a parent node of the function node… causing the function node to execute the process only when the process is permitted by the function node operation authority, of the function node that requests the process, set for the general node that is the parent node of the function node" can be interpreted as (i.e., to operate the slip, the node generates as many child processes as array elements and executes the child processes in parallel, because the node is set so as to refer to the project type array. At this time, the different project IDs (soumu.sub.--prj, keiri.sub.--prj and eigyou.sub.--prj) are evaluated, and different types of child processes are set. Routes defined by the separate projects are used, and data is transmitted to the departments by using the separate routes to be approved by the respective persons in charge in the departments. The child processes go to a next node in synchronization with one another; [col. 7 lines 13-26]. First, when the client request management program 33 receives a request to set the value, an evaluation logic is called using the current process "definition C: C001" as a "parent process" (step S101). Then, the first data name portion of the data name to be substituted is set for "Evaluation data name" (step S102). Then, an array subscript portion of the first data name of the data name to be substituted is set for "INDEX" (step S103). Then, a portion of the substitution data name excluding Evaluation data name and INDEX is set for "Remaining phrase" (step S104). Since the substitution data name is "Depts[1]. UserID", "Depts", "[1]" and "UserID" are obtained as "Evaluation data name", "INDEX" and "Remaining phrase", respectively; [col. 11 lines 51-64]).

Overall, Examiner respectfully suggests the Applicant to further clarify the independent claims. For example, the Applicant can incorporate the limitations of claim 2 into the independent claims to further clarify the claim. If the Applicant has any further question(s) regarding this application please feel free to contact the Examiner.